

UNITED STATES DISTRICT COURT
FOR THE COMMONWEALTH OF MASSACHUSETTS

Civil Docket No: 04CV12381JT

Pamela Priestley,)
Plaintiff)
)
Vs.)
)
Karen L. Zaffiro and,)
Liberty Mutual Insurance Co.,)
Defendants)
)

PAMELA PRIESTLY'S OPPOSITION TO DEFENDANT,
LIBERTY MUTUAL INSURANCE COMPANY'S MOTION TO
DISMISS PURSUANT TO FED. R. CIV. P. RULE 12(b)(1) A RULE 12(b)(2)

Now comes Pamela Priestley and opposes the defendant, Liberty Mutual Insurance Company's Motion to Dismiss due claim amount controversy.

1. Pamela Priestly has well over \$6,000 in medical bills.
2. Pamela Priestly was out of work or partially employed for eight (8) months.
3. Pamela Priestly has a cracked bone in her back which has hurt her for over four (4) years due to the impact from the accident. Pamela Priestly has four (4) years of conscious pain and suffering.
4. Pamela Priestly is seeing doctors in Florida due to pain from the cracked bone in her back. There is a strong possibility she will suffer pain for the rest of her life due to the cracked bones in her back from the accident.

5. Pamela Priestly has brought a M.G.L. Ch. 93A action against the defendants. She may collect treble damages.

6. Pamela Priestly contends Liberty Mutual violated public policy due to their blatant misrepresentation of M.G.L. Ch. 90, Section 34M.

7. Pamela Priestly has filed a valid notice pursuant to M.G.L. Ch. 93A and defendants have responded timely to 93A notice.

The plaintiff,
By her attorney,

Damon Scarano, Esquire
Attorney At Law
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